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Summary record of the 281st meeting
Held at the Palais Wilson, Geneva, on Tuesday, 23 August 2016, at 3 p.m.

Chair: Ms. Cisternas Reyes

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Colombia (CRPD/C/COL/1; CRPD/C/COL/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Colombia took places at the Committee table.*

2. **Mr. Salazar** (Colombia), introducing his country's initial report (CRPD/C/COL/1), said that the dialogue with the Committee was taking place at a historic time for Colombia, as it had never been closer to negotiating the end of an armed conflict that had lasted for over 50 years. However, the peace that was so desired would not be possible without the full inclusion of persons with disabilities.

3. Since the adoption of the Constitution of 1991, Colombia had been building a social, democratic and participatory State, based on the rule of law, in which persons with disabilities benefited from special constitutional protection. Two key pieces of legislation had been enacted: a framework law on disabilities of 2007, which had been revised in 2013 to harmonize it with the Convention; and an anti-discrimination law of 2015, which criminalized discrimination against persons with disabilities.

4. Although many other laws addressed disability issues, those two legislative landmarks had shaped the model for the protection and promotion of human rights in Colombia. While it was true that some gaps remained in the legislation and that some laws could be improved, the challenge of including persons with disabilities would be met primarily by implementing existing laws, not by creating new ones.

5. A key role in that regard was played by the National Disability System, which brought together representatives of civil society and senior officials from all the ministries and administrative departments. Equivalent structures had been set up in the provinces and municipalities. The goal of disability inclusion was pursued at four different levels: in Congress, by promoting relevant legislation; in the regions, by providing technical assistance; within the State apparatus itself, by monitoring the implementation of the Convention; and in relation to other stakeholders, through dialogue with, for example, trade unions and the media.

6. Other challenges that the State party faced in implementing the Convention pertained to the issues of legal capacity, care and independent living, accessibility and universal design, inclusive education from early childhood, and occupational and productive inclusion. Intersectoral working groups consisting of representatives of civil society, academic institutions and relevant State bodies had been made responsible for each area. Each of the working groups had a technical secretariat that included members of civil society, enabling persons with disabilities themselves to be the protagonists of change. The groups set the agenda, reviewed local and international good practices, and considered how best to apply them.

7. Although Colombia had focused initially on strengthening structures and tools for the Convention's application, it realized that systemic change was also needed. The National Public Policy for Disability and Social Inclusion was being implemented to that end. In that context, segregated education had been eliminated; free, universal access to health care had been established; the provision of social welfare had been extended; and various initiatives had been taken to promote employment and entrepreneurship. Furthermore, an ambitious policy to enhance digital inclusion not only gave persons with disabilities access to technology but also empowered them and enabled them to exercise other rights.

8. A plan existed to provide differentiated care, in the form of comprehensive support and reparation, to persons with disabilities who were victims of the armed conflict. Professionals working in the legal, education and health sectors had been given training in the rights enshrined in the Convention. Organizations of persons with disabilities had been strengthened and persons with disabilities had been encouraged to take part in sporting and cultural events, both of which had been made progressively more accessible.

9. Although the Government was proud of the progress it had made, it recognized that much remained to be done. For example, statistical data needed to be updated as the figures held on disability did not correspond to the global averages established by the World Health Organization. The conduct of the forthcoming national census and the promotion of a voluntary register of persons with disabilities should help to rectify that problem and to optimize priority-setting and budget allocation. His country's commitment to realizing the rights of persons with disabilities was evidenced by the Presidential Plan on Inclusion, for which he was the Director. It was hoped, through the Plan, not only to further the implementation of the Convention but also to bring about the desired cultural change.

10. **Ms. Quan-Chang** (Country Rapporteur) said that significant progress had been made in protecting and enhancing the rights of persons with disabilities in the State party. The adoption of Act No. 1618 of 2013 on disabilities was welcome, although the lack of implementing regulations for the law was a cause for concern. The provision of remote systems for the interpretation of Colombian Sign Language also deserved to be highlighted but stood in contrast to the failure to recognize the right of deaf-blind persons to an interpreter-guide.

11. The Committee had received a great deal of information on the restrictions imposed on the exercise of legal capacity by persons with disabilities. For example, the Constitutional Court of Colombia had recently ruled that persons with psychosocial disabilities could not assume the responsibilities of motherhood or fatherhood and had compared them to minors. The same Court had ruled that tests should be carried out on a young woman with an intellectual disability to determine whether or not she had sufficient independence of mind to raise children. If it was decided that she did not, and if her legal representative or guardians gave their consent, then legal proceedings could be initiated with the aim of obtaining authorization for her fallopian tubes to be tied. Given that the Committee on the Elimination of Discrimination against Women had drawn attention to the issue of forced sterilization in its concluding observations on the combined seventh and eighth periodic reports of Colombia (CEDAW/C/COL/CO/7-8, para. 29 (e)) in 2013, it was troubling that the State party still showed no sign of being genuinely committed to eradicating the practice.

12. Little effort appeared to have been made to provide for inclusive education. According to figures from the Integrated Enrolment System, children with disabilities accounted for only 1.6 per cent of the total number of children enrolled in school. The More Families in Action programme gave financial support to children with a school attendance rate of at least 80 per cent. However, the families of children with disabilities, particularly intellectual disabilities, often lost their entitlement to that support as they were unable to enrol their children in school. Indigenous and Afro-descendent children in rural areas were particularly affected by the problem. The low numbers of blind and deaf children enrolled in mainstream education could be the result of a scarcity of Braille materials and a lack of sign language interpreters.

13. Persons with disabilities had been particularly affected by the decades-long armed conflict in Colombia. The suffering of victims was compounded by a lack of programmes and policies that took the issue of disability into account. It was unfortunate that, during the peace negotiations, a differential approach had not been taken in respect of persons with disabilities and also that no accurate statistics were available on victims of the armed

conflict who had disabilities. In addition, few psychosocial rehabilitation programmes had been set up, particularly in rural areas. The Committee had learned that, in order to be able to claim reparation, persons with disabilities must first be placed under judicial interdiction, whereby they were deprived of legal capacity, a condition that violated the Convention. Furthermore, the question of accessibility was not considered by the Land Restitution Unit when it examined claims made by persons with disabilities. During the armed conflict, 10 persons with disabilities had been victims of extrajudicial executions, in the so-called "false positives" scandal. She wished to know whether the State party would apologize for those atrocious crimes and make reparation to the victims' families.

14. Lastly, attention must be drawn to the severe exclusion faced by indigenous and Afro-descendent persons with disabilities and to the weak participation of civil society, in particular organizations of persons with disabilities, in the National Disability System. The complicated formalities and procedures indeed made it extremely difficult for organizations of persons with disabilities to be involved in decision-making of any kind at the municipal and departmental levels.

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15. **Ms. Degener** said she was pleased to note that the State party had based its disability policy on the social model of disability. She wished to point out that, contrary to the assertion in the State party report, primary prevention of impairment did not constitute a measure of implementation of the Convention. The Convention served to uphold the rights of people living with disabilities; it did not concern itself with the prevention of road traffic or other accidents. The issue at stake was not simply how disability policy should be understood, but also how the resources available for implementing the Convention should be apportioned. When budgets were analysed, it was often found that a significant portion of those resources were allocated to the primary prevention of impairment.

16. She would welcome more information on the extent to which organizations of persons with disabilities participated in the implementation of the Convention and on the inclusion of women and girls with disabilities in gender-equality policy and disability policy. She would also appreciate the delegation's comments on reports that acts of sexual violence committed against women and girls with disabilities were ignored by the investigating authorities. She asked what steps were being taken to empower indigenous women and girls with disabilities and to address the fact that large numbers of children with disabilities were not enrolled in school. Lastly, she requested more statistical information on the situation of children with disabilities in Colombia.

17. **Mr. Tatić**, noting that discrimination on the ground of disability had been an offence in Colombia since 2015, asked whether any cases of such discrimination had come before the courts. He also wished to know how many civil complaints of disability-based discrimination had been received by national human rights institutions and under what circumstances it was considered illegal to deny reasonable accommodation to persons with disabilities. He asked what mechanisms were used to monitor the implementation of accessibility standards and whether any systematic or mandatory training in accessibility was provided to architects, engineers, urban planners and other professionals. Lastly, he asked what conditions of accessibility he, as a wheelchair user, would encounter if he travelled by air to the State party's capital city and attempted to use public transport, stay in a hotel or visit government offices, including those housed in old colonial buildings.

18. **Ms. Peláez Narváez** asked what efforts the State party was making to ensure that persons with disabilities, including women and older persons, through their representative organizations, were closely consulted on and actively involved in the development and implementation of legislation and policies to implement the Convention, and in other decision-making processes concerning issues relating to persons with disabilities; how the

State party's specific policies on female victims of armed conflict addressed the issue of women who had been left with a disability as a result of sexual violence deployed as a weapon of war; and what measures the State party had taken to stop institutionalizing children with disabilities, especially girls, who had been abused by their family members, thus depriving them of a family environment. She also wished to know what was being done to ensure that the telethon organized by the Fundación Teletón Colombia was respectful of persons with disabilities and that the funds raised were used appropriately. She thanked the State party for providing its replies to the list of issues (CRPD/C/COL/Q/1/Add.1) in Braille, which had greatly facilitated her work.

19. **Mr. Basharu** asked what measures the State party was taking to repeal the laws that allowed women with disabilities to be sterilized without their free and informed consent. He also wished to know what mechanisms were in place to promote consultation with women with disabilities and their representative organizations in all spheres of life. In addition, he would appreciate information on any steps that had been taken to ensure that all children with disabilities, including those who lacked the advantages evidently enjoyed by children living in urban areas and children of parents serving in the State party's military or police forces, were afforded equal opportunities. Information on any efforts to involve the country's media in awareness-raising campaigns would also be welcome.

20. **Mr. Buntan** said that he wondered what steps were taken by the State party, a middle-income country, to empower the representative organizations of persons with disabilities to participate effectively in formulating, implementing and monitoring policies and legislation related to the implementation of the Convention. He asked whether the State party's policies on procurement, including of information and communication technology, contributed to greater accessibility.

21. **Mr. Ruskus** said that he would welcome information on the efforts made by the State party to combat stereotypes, prejudice and stigma relating to persons with disabilities and promote awareness of their rights and dignity. What specific measures was the State party taking to promote awareness among journalists and persons working with disability issues of the potential and achievements of persons with disabilities?

22. **Ms. Kingston** said that she would appreciate the delegation's comments on claims that organizations of persons with disabilities had not been involved in the preparation of the reports submitted by the State party to the High-level Political Forum on Sustainable Development and that the legal provisions calling for the adoption of mechanisms to ensure the sustainability of such organizations had not been properly implemented. She wished to know whether Colombia had any laws that addressed the intersection of disability and other common causes of discrimination and whether, as the Committee on the Rights of the Child had recommended in its concluding observations on the combined fourth and fifth periodic reports of Colombia (CRC/C/COL/CO/4-5, para. 20), it had stepped up its efforts to eliminate discrimination against children in marginalized situations, especially children with disabilities living in rural areas. She also wished to know whether the State party intended to collect official statistics on female genital mutilation, in particular in indigenous communities.

23. **Ms. Quan-Chang** asked what steps the State party was taking to explicitly ban all forms of corporal punishment and amend the vague provision of the Civil Code that conferred on adults the right to correct children for whom they were responsible. She wondered what could be done to invalidate a 2014 ruling in which the Constitutional Court had held that the courts could order the sterilization of children with disabilities. She also wished to know how the State party intended to move away from outreach campaigns or fundraising drives that, with their excessive focus on the medical or social and economic needs of persons with disabilities, reinforced negative views of such persons. What

measures did the State party plan to take to promote greater awareness of their rights instead?

24. **The Chair** said that she would welcome an update on the progress made by the State party towards ratification of the Optional Protocol to the Convention. She wondered whether the State party's failure to take persons with disabilities into account in the current peace talks was conducive to the achievement of Sustainable Development Goal 16, which involved the pursuit of peaceful and inclusive societies and justice for all. The authorities should bear in mind that the efforts they made to ensure that social services and leisure activities were available to children with disabilities, in line with the recommendation of the Committee on the Rights of the Child (CRC/C/COL/CO/4-5, para. 38 (d)), would also help Colombia achieve Sustainable Development Goal 10, which focused on reducing inequality.

25. **Ms. Quan-Chang** said that, when she had visited Colombia in January 2015, she had been told that the Optional Protocol could not be ratified until it was determined that doing so would be constitutional. Eighteen months was ample time to come to such a determination.

The meeting was suspended at 4.10 p.m. and resumed at 4.45 p.m.

26. **Ms. Cubides** (Colombia) said the National Public Policy on Gender Equity stated clearly that a differentiated approach should be taken to issues of concern to women with disabilities. Technical assistance was provided to ensure that all the country's disability programmes incorporated a gender perspective. The Constitutional Court, which had ordered special protection measures for women displaced by the armed conflict and women with disabilities, had incorporated a gender perspective into a number of its decisions.

27. **Ms. Nieto Alzate** (Colombia) said that, in 2016, the Colombian Family Welfare Institute had developed guidelines on the actions to be taken to ensure that children could exercise their rights and on the services to be provided to child victims of abuse. Differentiated measures were taken for the benefit of children with disabilities, who were recognized as subjects of rights. The Institute favoured initiatives that involved providing economic and psychosocial support to the families of such children. The Institute's family support and strengthening units provided support to parents individually and worked closely with both families and communities, in urban as well as rural areas.

28. Colombia had 102 indigenous communities, each with its own culture. Indigenous children with disabilities were offered treatment that reflected their intersectional needs, a practice that had been reinforced by Constitutional Court Order No. 251 of 2008. All children who had been affected by the armed conflict were entitled to comprehensive victim support.

29. **Mr. Valencia** (Colombia) said that female genital mutilation was not widespread in Colombia. It was practised by a single ethnic group, the Emberá-Chamí, but had been imported from elsewhere. The first cases of female genital mutilation had been recorded some years previously, but, since they had been limited in number, comprehensive data on the practice had not been collected. The Government planned to eradicate female genital mutilation by educating women from the ethnic group in question on its dangers, working with local authorities, allocating the necessary financial and human resources within the framework of the National Development Plan 2014-2018, and implementing a strategy involving the Colombian Family Welfare Institute and the Presidential Advisory Office for Human Rights.

30. **Ms. Nieto Alzate** (Colombia) said that the development of the National Public Policy for Disability and Social Inclusion had involved a process of consultation with a wide range of stakeholders, including a large number of persons with disabilities and their

representative organizations. To give weight to issues of intersectionality, the persons with disabilities selected for consultation had included victims of the armed conflict, women, representatives of the four officially recognized ethnic groups and lesbian, gay, bisexual and transgender persons (LGBT) persons. Numerous other stakeholders, including family members of persons with disabilities, had also been consulted.

31. To allow persons with disabilities to participate fully in policy development, extensive measures had been taken to facilitate the accessibility of the process. Similar measures had been taken to facilitate the accessibility of the work of the National Disability Council. The Ministry of the Interior had begun a process of strengthening organizations of persons with disabilities. Furthermore, under an initiative launched the previous year, organizations of persons with disabilities would receive recognition for their work. Other ministries and government bodies also took measures to increase the participation of persons with disabilities, in particular women with disabilities, in decision-making processes. Women made up 52 per cent of nominees to the National Disability Council and 32 per cent of representatives at the regional level. Efforts would be made to sustain the high level of participation of women in political and public life. The Ministry of the Interior had conducted extensive consultations on the implementation of article 22 of Act No. 1618 of 2013. Consultations would continue to be held with children with disabilities.

32. **Ms. Cubides** (Colombia) said that Act No. 1752 of 2015 had criminalized discrimination and harassment against persons with disabilities. It could be invoked in cases in which a person with a disability had been denied reasonable accommodation. The Government was working to raise awareness of the Act among civil society organizations. Since 1991, the right to petition for *amparo* had allowed persons with disabilities to secure the exercise of their fundamental rights within a reasonable time frame. Supervisory bodies including the Ombudsman's Office and the Attorney General's Office could impose sanctions for denial of reasonable accommodation. A national system had been established to address discrimination in the education system. Accessibility standards had been set for the online dissemination of information by public bodies. The current compliance rate was 64 per cent, and disciplinary and fiscal sanctions were imposed for non-compliance.

33. The peace talks were ongoing, and it was expected that the relevant agreements would be signed imminently. Some 60 victims of the armed conflict, including a number of persons with disabilities, had participated in the broader peace process. The High Commissioner for Peace was working to make the peace talks accessible to persons with disabilities, including by providing sign language interpretation and making the agreements available in Braille, which would allow such persons to participate fully in the referendum scheduled for the following month. Representatives of organizations of persons with disabilities had participated in round-table discussions held throughout the country.

34. **Ms. Nieto Alzate** (Colombia) said that, in recent years, the National System of Comprehensive Victim Support and Reparation had been cooperating with the National Disability System. Government officials, representatives of organizations of persons with disabilities and victims of the armed conflict had been involved in that process. The cooperation between the two structures had ensured that special attention was devoted to issues of intersectionality. Important advances had been made, as was demonstrated by Constitutional Court Order No. 006 of 2009 and Order No. 173 of 2014. While some victims of the conflict had been persons who already had disabilities, others had acquired disabilities during the conflict or subsequently.

35. **Mr. Salazar** (Colombia) said that, with regard to the portrayal of persons with disabilities in the media, it should be borne in mind that the full implementation of the Convention would involve a process of complete cultural transformation. Some outdated cultural practices had proved particularly resilient. One example was White Day, which had once been promoted as the day of persons with disabilities in Colombia. It had long been

associated with paternalistic, essentialist and condescending attitudes towards persons with disabilities. Although the Government did not promote the tradition, it was maintained in some areas of the country. The Government had sought to encourage alternative initiatives by promoting more positive attitudes towards persons with disabilities. The telethon had returned in 2011 after an absence of several years. Its aim was to raise money for persons with disabilities. The National Disability Council had contacted the organizers to ask them to bring the format of the telethon more into line with the spirit of the Convention. The Government did not endorse or finance the telethon, but many civil servants promoted it on social networks.

36. In the longer term, the transformation of cultural attitudes towards persons with disabilities would require a more creative approach. One recent example of such an approach had been the promotion of sporting competitions involving athletes with disabilities, which had allowed the Government to send a strong message of empowerment. The Government recognized that primary prevention of impairment was not a means of implementation of the Convention and aimed to prioritize the promotion of the rights of persons with disabilities instead.

37. **Ms. Cubides** (Colombia) said that efforts had been made both to make television programmes accessible to deaf persons and to involve deaf persons in the production of television programmes. Two television programmes produced by deaf persons had already been broadcast.

38. **Mr. Salazar** (Colombia) said that the Convention had been ratified in 2011. Once further progress had been made towards its full implementation, the Government would be in a position to consider the ratification of the Optional Protocol. Colombia welcomed visitors with disabilities, and, in terms of accessibility features for wheelchair users, its airports were broadly comparable with major international airports around the world. With regard to public transport, hotels and historic buildings, the situation was more varied. In Bogota, for example, bus stations were fully accessible, but some of the buses were not. There were plans to improve the provision of accessible transport in major cities. Some buildings, including approximately 50 per cent of hotels, were not accessible, but government buildings usually were. There were laws requiring the principles of accessibility and universal design to be applied in all new building projects. However, the lack of binding technical norms meant that the accessibility features installed in new buildings did not always conform to international standards. Legislative amendments had been proposed to address the situation.

39. Although the Constitutional Court was a progressive institution, the sterilization of women with disabilities was permitted under current legislation, which was a source of great concern for the National Disability Council and civil society. The forced sterilization of women with disabilities was being examined by a special working group as part of a larger project to evaluate compliance with article 12 of the Convention. The participants in the working group included representatives of a number of supervisory bodies and of civil society. The working group had set itself the ambitious task of addressing all the issues covered by article 12, including forced sterilization and institutionalization, in a draft law. It was hoped that, as a result of its work, women with disabilities would never again be forcibly sterilized.

40. **Ms. Cubides** (Colombia) said that the crime of torture was codified in the Colombian Criminal Code, under article 178 of Act 599. The relevant provisions were in line with the international instruments on torture. The cases in which an individual could be charged with the crime of torture, with or without State involvement, were also specified in the legislation. There was no specific monitoring mechanism for torture. However, different inter-institutional State commissions, such as those working to prevent trafficking, sexual violence or armed conflict, were able to address the issue.

41. **Ms. Nieto Alzate** (Colombia) said that training on accessibility had been provided to architects and engineers. It was planned to include accessibility as a component in the curricula for a range of other university programmes. In collaboration with civil society, training on accessibility had been provided by the Ministry of Justice and Law to the staff of government institutions and to judicial professionals, including notaries, court staff and judges. The Colombian Network of Universities for Disability played an important role in the inclusion of persons with disabilities, including by facilitating consultations with them. In the health-care sector, around 2,000 seminars took place each year on the promotion of the rights of persons with disabilities, focusing on the humanization of health-care provision and the integration of a human rights perspective into the work of health-care facilities. The overarching goal of the programmes just described, and of similar initiatives, was to foster recognition of human diversity and the enjoyment of rights by all, in particular by those who experienced the most discrimination, including persons with disabilities.

Articles 11-20

42. **Mr. Ruskus** said the Committee was concerned that children with disabilities were being separated from their families through the application of protective measures ordered by the Colombian Family Welfare Institute. Information had been received indicating that, in 2012 alone, around 12,000 children and young persons with intellectual or psychosocial disabilities had been institutionalized or placed in segregated programmes. Many children were taken out of school for that purpose, thus denying them the right to inclusive education. Around 100,000 million Colombian pesos had been spent on protective measures and institutionalization. Parents were often not able to visit their children, as the locations of the facilities were frequently remote. Exceedingly bureaucratic procedures also delayed family reunification when children were deinstitutionalized. There were many recorded cases of ill-treatment, including denial of food or force-feeding, punishment for wetting the bed and denial of life-saving medicine. In addition, once a child in such a facility attained the age of 18 years, there was an automatic presumption of legal incapacity, meaning that the facility retained custody of the individual. The Committee was keen to learn if the Government had plans to change those practices, which were contrary to the Convention, and to redirect funds to enable parents of children with disabilities to fully exercise their parenting rights.

43. **Mr. Tatić** said that the Government should consult the Committee's general comment No. 2 (2014) on accessibility, which contained advice on improving practice in that area. The Committee welcomed the end of the long conflict in the State party and wished to know more about what was being done to ensure that requirements with regard to accessibility and disability inclusion were taken into account in the post-conflict reconstruction process. The Committee would appreciate further information regarding training provided to members of the armed forces on how to interact with persons with disabilities, particularly deaf persons and persons with psychosocial or intellectual disabilities. It would also like to know whether the ruling of the Constitutional Court on ensuring access for persons with disabilities to the Paloquemao judicial complex was now being implemented. Lastly, the Committee wondered whether it was common practice for those persons with disabilities who required a high level of support to be assisted exclusively by their family members or whether trained professionals were available to assist them. Were there any allowances to pay for such assistance?

44. **Ms. Degener** asked what progress there had been in developing a system conducive to the exercise of legal capacity and supported decision-making by persons with disabilities. She also wished to know what kind of changes would be made to the law and how supported decision-making would be implemented in practice. She would appreciate further information on how judges could interpret Act No. 1618 of 2013 so as to allow persons

with disabilities to serve as witnesses. Did that happen already and, if not, were there any plans to amend procedural laws?

45. She asked what the Government planned to do about the 2,015 persons with disabilities who, according to the State party report, were incarcerated; on what grounds they had been deprived of their liberty; and whether they had had the opportunity to defend themselves in court. Lastly, she would welcome more information on the situation of persons with disabilities detained in public and private psychiatric institutions and the steps taken to ensure that their rights were guaranteed in line with the Convention.

46. **Mr. Basharu** said that he would like the delegation to revert to his previous question on children with disabilities, as the response provided had not been satisfactory. He wished to know whether the State party had a strategy in place to respond to situations of risk and emergency affecting persons with disabilities and, if so, whether provision was made to communicate appropriately with them in such circumstances using, for example, Braille or sign language. In addition to ensuring that prisons, police stations and other State infrastructure were physically accessible to persons with disabilities, had the Government taken measures to provide information in accessible formats to all persons with disabilities seeking justice?

47. **Mr. Buntan** said that he wished to reiterate his earlier question on the Government's use of its general public procurement policy to enhance accessibility. The delegation had mentioned that there were laws on universal design and accessibility, but that the framework for the implementation of those laws was lacking. He would therefore urge the Government to develop norms or guidelines, especially in relation to the accessibility of information and communication technology, that were in line with internationally recognized accessibility standards. The State party was to be congratulated for resolving the armed conflict through negotiation. He wondered whether there were plans to involve persons with disabilities in the implementation of the peace settlement. Many persons with disabilities had been badly affected by displacement and land relocation during the conflict, and their involvement would help ensure a sustainable peace. Lastly, regarding the exercise of legal capacity, he wished to know whether there had been any cases of persons with disabilities being prevented from conducting financial transactions, such as depositing money in a bank account or purchasing properties.

48. Ms. **Peláez Narváez** said that she would like the delegation to revert to her earlier question on the institutionalization of children with disabilities who had been sexually abused. In particular, she wished to know what steps would be taken to ensure that the right of those children to live with their families was upheld. She would like to receive further information on gender-equality policies that focused specifically on women and girls with disabilities, given their extreme vulnerability, and on the involvement of women with disabilities in decision-making processes and in consultation and participation mechanisms. Clarification would be appreciated as to how the National System of Comprehensive Victim Support and Reparation and similar schemes provided for the specific needs of women and girls with disabilities. She wished to know whether the shelters for victims of violence in the State party were accessible for women with disabilities and what services they provided. Lastly, she asked how many persons with disabilities, both adults and children, had been institutionalized, whether the Government had plans to implement a deinstitutionalization policy and whether there was an oversight mechanism in place to ensure that people living in such facilities could enjoy their full rights.

49. **Ms. Kingston** asked how many internally displaced persons with disabilities there were in the State party and what mechanisms were in place to ensure that their rights were respected. She would also like to know whether prisoners and other detained persons with psychosocial or intellectual disabilities were able to access the support they required on a regular basis.

50. **Ms. Quan-Chang** said the Committee had received information from reliable sources indicating that the telethon was indeed supported by the State, which, for example granted the organizers a significant amount of airtime on public television. In addition, publicity and promotional resources for the event were provided by public bodies, and employees of those bodies were strongly encouraged to donate money, sometimes large amounts. The telethon was also exempt from paying taxes. Could the delegation clarify the matter?

51. In Medellín, the mayoral office had passed a decree prohibiting people from living on the street. Such persons could be arbitrarily declared to be persons with disabilities and, as such, could be deprived of their legal capacity. The implementation of the decree would further increase the insecurity faced by persons living on the street as well as violating their rights. The Committee understood, moreover, that deprivation of legal capacity was often a requirement for the provision of support and allowances to persons with disabilities, which was a clear violation of article 12.

52. According to reports received by the Committee, prison facilities were not always accessible for persons with disabilities and there was a lack of suitable activities for inmates with disabilities. In addition, there was no mechanism to oversee institutionalization or deprivation of liberty on the ground of disability or to safeguard the rights of individuals who found themselves thus confined, which was a concern for the Committee. Lastly, she asked what measures were being taken or were planned to criminalize forced sterilization in the State party.

53. **The Chair** said that she wished to know what steps the State party was taking to ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. She would be grateful for more specific information on the procedural accommodations in place to guarantee that persons with disabilities had access to justice; the due process guarantees for persons with disabilities who were charged with committing a crime; and the safeguards that were applied when a person had been declared unfit to stand trial.

The meeting rose at 6.05 p.m.